

EXHIBIT 206

"HIGHLY CONFIDENTIAL"

Juul Labs, Inc. Marketing, Sales Practices & Products Liability Litigation
MDL No. 2913

San Francisco Unified School District – Bellwether

Expert Report of Kurt M. Ribisl, PhD

January 25, 2022

2015, JUUL also launched the Vaporized marketing campaign with significant youth appeal. JLI created JUUL Pods in flavors that appeal to youth, such as Mango, Mint, and Fruit Medley. Finally, JUUL's weak age verification efforts at retail outlets and their online JUUL.com site allowed underage youth to gain access to their products.

- I incorporate as though set forth herein the opinions stated in my general report dated September 20, 2021, previously served in this litigation.
- It is my opinion that JLI's sales and marketing practices have led to epidemic rates of e-cigarette use, which have disrupted schools, including those in the SFUSD, and forced them to take such drastic action as removing bathroom doors and making costly equipment upgrades, such as installing expensive vaping detectors.
- It is my opinion JLI failed to take necessary and reasonable action to prevent youth from getting access to their products and to avoid engaging in sales and marketing practices that appeal to youth. As a result, the sales and marketing practices of JLI caused or strongly contributed to the epidemic of JUUL use among youth at SFUSD.
- It is my opinion that JLI failed to take reasonable and adequate measures to prevent JUUL products from being sold or marketed near schools in the SFUSD. It is my further opinion that JLI failed to meet its duty to prevent youth access to JUUL products and failed to avoid engaging in sales and marketing practices that appeal to youth.
- It is my opinion that JLI failed to take reasonable and adequate measures to prevent bulk sales of JUUL products in and around the SFUSD, as well as nationwide. It is my further opinion that JLI violated its policy and failed to implement or enforce that policy, and in the process failed to meet its duty to prevent youth access to JUUL products. It is my opinion that JLI's lack of penalizing stores for bulk purchasing violations led to poor compliance and undermined the ability of the program to meaningfully reduce product access to minors, including minors in the SFUSD.

D. Negative Impact of JUUL on Schools

- Schools are meant to be places of learning for our nation's youth. Unfortunately, the JUUL epidemic has wreaked havoc on schools and adversely disrupted our nation's primary learning environments for children. Negative impacts on schools include problems with large number of youth using JUUL and electronic nicotine delivery (ENDS) products in school buildings and on school property, hazardous JUUL waste being discarded on school grounds, the need for additional staff and/or additional responsibilities for existing staff, the need to implement additional means and systems to identify students using JUUL, educate those students, and prevent such use, and the bathroom smoke alarms being triggered by youth using JUUL.
- Large numbers of youth have reported seeing other students using e-cigarettes in and around school. Dai[13] conducted an analysis of 2019 National Youth Tobacco Survey data to assess whether middle and high school students reported having seen other students using ENDS at various school locations. Overall, 63.9% of students (weighted n = 16,850,000) reported observing ENDS use in or around the school. Locations where youth observed other youth using products are listed in Table 1 below. Among high school students, 45.3% reported seeing ENDS use in a school bathroom or locker room. As shown in the table below, Dai estimated that nearly 9 million students in the US had seen ENDS use in a school bathroom or locker room. Likewise, a different national study[14] (n=1,654) found that 38.6% of middle school and 65.8% of high school students also reported seeing someone use an "electronic nicotine product, such as JUUL, Vuse, MarkTen, or blu, in any locations in or around your school" in 2018.